

# **Plaintiffs' Reply Exhibit 87**

---

**From:** Davis, Colin B. <CDavis@gibsondunn.com>  
**Sent:** Thursday, April 21, 2022 8:39 PM  
**To:** Mumm, Laura C.; Matt Melamed; Lesley Weaver; Anne Davis; Derek Loeser; Cari Laufenberg; David Ko; Eric Fierro  
**Cc:** Kutscher Clark, Martie; Falconer, Russ; Stein, Deborah L.; Ring, Rose; Humleker, Zachariah; Machin, Amanda C.; \*\*\* Service-FB-CA\_MDL  
**Subject:** RE: In re Facebook, Inc. Consumer Privacy User Profile Litigation

Matt:

The language in Laura's email was intended to reflect that, in addition to Facebook's production of financial information generally, this production contains documents responsive to the seven categories of Facebook's "internal financial systems/files" Plaintiffs asked us to search for in connection with the February 14 mediation. Facebook's investigation of documents responsive to the seven February 14 categories—which we discussed during the March 7 mediation and in the latest version of the tracker for submission to Judge Andler and Special Master Garrie—is ongoing. Facebook intends to continue producing additional documents responsive to the seven categories of "internal financial systems/files" on a rolling basis as the documents are identified, processed, and reviewed. As the parties have discussed, Facebook is endeavoring to complete its rolling production of documents responsive to the seven February 14 categories by May 6.

Facebook will identify by Bates number which documents in the most recent productions are responsive to at least one of the seven February 14 categories. Because a document may fall into more than one category, however, we don't believe that it will be efficient or helpful to try to identify each of the seven categories each document is responsive to, nor do we believe it efficient to identify which documents from prior productions pertain to the February 14 categories. Our goal here is to get Plaintiffs additional documents that are responsive to the seven categories as promptly as possible, and we are concerned that the proposal to assign each document to each category would unnecessarily delay that process. We will provide a report of documents responsive to at least one of the seven February 14 categories within a reasonable time following each production containing these documents.

Regards,  
Colin

Colin B. Davis

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
3161 Michelson Drive, Irvine, CA 92612-4412  
Tel +1 949.451.3993 • Fax +1 949.475.4792  
CDavis@gibsondunn.com • www.gibsondunn.com

---

**From:** Mumm, Laura C.

**Sent:** Tuesday, April 19, 2022 12:30 PM

**To:** Matthew Melamed <mmelamed@bfalaw.com>; Lesley Weaver <lweaver@bfalaw.com>; Anne Davis <adavis@bfalaw.com>; Derek Loeser <dloeser@kellerrohrback.com>; Cari Laufenberg <claufenberg@kellerrohrback.com>; David Ko <dko@kellerrohrback.com>; Eric Fierro <efierro@kellerrohrback.com>  
**Cc:** Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; Falconer, Russ <RFalconer@gibsondunn.com>; Stein, Deborah L. <DStein@gibsondunn.com>; Davis, Colin B. <CDavis@gibsondunn.com>; Ring, Rose <RRing@gibsondunn.com>; Humleker, Zachariah <ZHumleker@gibsondunn.com>; Machin, Amanda C. <AMachin@gibsondunn.com>

**Subject:** RE: In re Facebook, Inc. Consumer Privacy User Profile Litigation

Hi Matt,

Acknowledging receipt here – we will circle back with answers to the below.

Best,  
Laura

Laura C. Mumm

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
200 Park Avenue, New York, NY 10166-0193  
Tel +1 212.351.2404 • Fax +1 212.817.9504  
LMumm@gibsondunn.com • www.gibsondunn.com

---

**From:** Matthew Melamed <[mmelamed@bfalaw.com](mailto:mmelamed@bfalaw.com)>

**Sent:** Tuesday, April 19, 2022 3:16 PM

**To:** Mumm, Laura C. <[LMumm@gibsondunn.com](mailto:LMumm@gibsondunn.com)>; Lesley Weaver <[lweaver@bfalaw.com](mailto:lweaver@bfalaw.com)>; Anne Davis <[adavis@bfalaw.com](mailto:adavis@bfalaw.com)>; Derek Loeser <[dloeser@kellerrohrback.com](mailto:dloeser@kellerrohrback.com)>; Cari Laufenberg <[claufenberg@kellerrohrback.com](mailto:claufenberg@kellerrohrback.com)>; David Ko <[dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)>; Eric Fierro <[efierro@kellerrohrback.com](mailto:efierro@kellerrohrback.com)>  
**Cc:** Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>; Stein, Deborah L. <[DStein@gibsondunn.com](mailto:DStein@gibsondunn.com)>; Davis, Colin B. <[CDavis@gibsondunn.com](mailto:CDavis@gibsondunn.com)>; Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>; Humleker, Zachariah <[ZHumleker@gibsondunn.com](mailto:ZHumleker@gibsondunn.com)>; Machin, Amanda C. <[AMachin@gibsondunn.com](mailto:AMachin@gibsondunn.com)>

**Subject:** RE: In re Facebook, Inc. Consumer Privacy User Profile Litigation

[WARNING: External Email]

Laura,

Thanks for the production. The email accompanying the production references documents produced “pursuant to the parties’ negotiated resolution of Plaintiffs’ requests for the production of financial information related to Facebook.” Please describe what you mean by that statement. In addition, please let us know whether Facebook

believes this production of financial information completes its obligation to produce financial information responsive to Plaintiffs' document requests.

We further ask, consistent with our April 4 request, that Facebook identify by bates range the documents that are responsive to specific categories Plaintiffs identified in the parties' February 14 mediation that Facebook agreed to search for and produce.

Thanks,  
Matt

---

**From:** Mumm, Laura C. <[LMumm@gibsondunn.com](mailto:LMumm@gibsondunn.com)>

**Sent:** Monday, April 18, 2022 7:27 PM

**To:** Lesley Weaver <[lweaver@bfalaw.com](mailto:lweaver@bfalaw.com)>; Anne Davis <[adavis@bfalaw.com](mailto:adavis@bfalaw.com)>; Matthew Melamed <[mmelamed@bfalaw.com](mailto:mmelamed@bfalaw.com)>; Derek Loeser <[dloeser@kellerrohrback.com](mailto:dloeser@kellerrohrback.com)>; Cari Laufenberg <[claufenberg@kellerrohrback.com](mailto:claufenberg@kellerrohrback.com)>; David Ko <[dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)>; Eric Fierro <[efierro@kellerrohrback.com](mailto:efierro@kellerrohrback.com)>  
**Cc:** Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>; Stein, Deborah L. <[DStein@gibsondunn.com](mailto:DStein@gibsondunn.com)>; Davis, Colin B. <[CDavis@gibsondunn.com](mailto:CDavis@gibsondunn.com)>; Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>; Humleker, Zachariah <[ZHumleker@gibsondunn.com](mailto:ZHumleker@gibsondunn.com)>; Machin, Amanda C. <[AMachin@gibsondunn.com](mailto:AMachin@gibsondunn.com)>

**Subject:** In re Facebook, Inc. Consumer Privacy User Profile Litigation

Counsel:

We have made available via SFTP documents bearing Bates numbers FB-CA-MDL-02936501 - FB-CA-MDL-02938860 (Volume 75) and an associated .dat file for suppressed lesser-inclusive emails, which are being produced on behalf of Facebook in response to Plaintiffs' documents requests following the deposition of Matthew Trainer as well as pursuant to the parties' negotiated resolution of Plaintiffs' requests for the production of financial information related to Facebook. The credentials are copied below and the password to access the production was provided to you on February 15, 2020. Facebook is producing all of these documents pursuant and subject to the terms of Protective Order that was negotiated by the parties and entered by the Court in this action.

Pursuant to and consistent with the Protective Order (Dkt. 122) and Stipulation and Order Pursuant to 502(d) (Dkt. 422), Facebook does not waive, and specifically reserves, all objections relating to Plaintiffs' requests for documents and all objections relating to any discovery that Plaintiffs may propound against Facebook in the future, including, without limitation, that Plaintiffs' requests are overly broad and unduly burdensome, and that certain documents sought are not relevant to, and/or are not admissible in, this case. Through this production, Facebook does not intend to, and does not, waive any applicable privileges or other legal bases under which any documents or information may be protected from discovery in this action. If either party realizes at a later date that any of the documents or information provided in this production constitute disclosure of otherwise privileged matters, any such disclosure should be treated as inadvertent. By the provision of these documents and information, Facebook does not intend to waive, and has not waived, the attorney-client privilege, the attorney work product privilege, or any other protections or privileges which may be applicable to any document(s) contained in this production. Accordingly, Facebook hereby expressly reserves the right to request the immediate return or destruction of any privileged documents and/or information that may have been inadvertently included in this production.

Regards,  
Laura

SFTP Login Credentials			
Host	Username	Password	Port

[sftp.gibsondunn.com](mailto:sftp.gibsondunn.com)

30993-00116-ZG

kY\$z@7PF

22

**Laura C. Mumm**

## GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
200 Park Avenue, New York, NY 10166-0193  
Tel +1 212.351.2404 • Fax +1 212.817.9504  
LMumm@gibsondunn.com • [www.gibsondunn.com](http://www.gibsondunn.com)

---

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.

---

---

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.

---